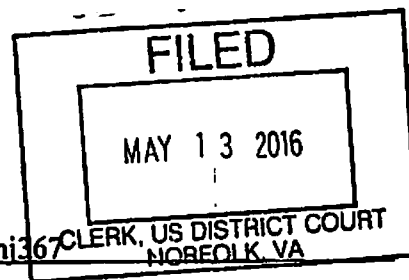


Prob 12
(Mod. For E. VA 10/09)

**UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF VIRGINIA**



U.S.A. vs. Brandon R. Moore

Docket No. 2:15mj367

Petition on Probation

COMES NOW Brett Riley, PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Brandon R. Moore, who was placed on supervision by The Honorable Douglas E. Miller, sitting in the Court at Norfolk, Virginia, on the 28th day of January, 2016, who fixed the period of supervision at ONE (1) YEAR, and imposed the general terms and conditions heretofore adopted by the Court and also imposed special conditions and terms as follows:

SPECIAL CONDITIONS:

1. The defendant shall not operate a motor vehicle unless properly licensed to do so.
2. The defendant shall maintain full-time employment.
3. The defendant shall serve twelve (12) days in custody. This time may be served on weekends as directed by the Probation Officer.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

See Attachment(s)

PRAYING THAT THE COURT WILL ORDER a summons to be issued directing that the offender appear before the Court to show cause why supervision should not be revoked.

ORDER OF COURT

Considered and ordered this 13 day of May, 2016 and ordered filed and made a part of the records in the above case.

/s/ [Signature]
Douglas E. Miller
United States Magistrate Judge

Douglas E. Miller
United States Magistrate Judge

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 5/12/16

[Signature]

Brett R. Riley
U.S. Probation Officer

Place Norfolk, Virginia

TO CLERK'S OFFICE

Petition on Probation

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RE: MOORE, Brandon R.

OFFENSE: Driving While License Suspended 6th Offense within Ten Years, in violation of 18 U.S.C. 7&13, assimilating Code of Virginia, Section 46.2-301, a Class A Misdemeanor.

SENTENCE: One (1) year term of probation, a \$250 fine, and a \$25 special assessment.

ADJUSTMENT TO SUPERVISION: Moore's one-year term of probation began on January 28, 2016. On that date, Moore's conditions of supervision were explained to him by this officer. Moore signed the conditions of supervision acknowledging that he fully understood the conditions and that he received a personal copy.

Moore satisfied his \$25 special assessment on April 8, 2016. He paid \$75 toward his fine and currently owes a balance of \$175. Moore is employed at the Norfolk Naval Shipyard as an apprentice. The defendant resides with his uncle in Norfolk, Virginia.

Moore submitted a urine specimen on the date he was placed on probation that tested positive for marijuana. Moore admitted to the probation officer that he used marijuana the day before he appeared in court. Subsequently, Moore submitted three additional positive urine specimens on March 4, 2016; April 8, 2016; and April 22, 2016, all of which have tested positive for marijuana. Additionally, on April 12, 2016, Moore was charged by the Hampton Police Department with Driving Under Suspension 7th Offense; Reckless Driving; and Elude or Disregard Police. When questioned about these charges, Moore reported to the probation officer that he was riding as a passenger in his cousin's vehicle when his cousin experienced some type of medical issue that rendered him unable to safely continue to operate the vehicle. Moore admitted to the probation officer that he elected to operate his cousin's vehicle on April 12, 2016, despite his lack of a valid driver's license. Moore admitted that he was speeding and reported that when he viewed the police officer's lights, he panicked and contemplated attempting to flee or elude the police officer. Moore reported that he eventually pulled over to the side of the roadway as directed by the officer. These matters are scheduled to be heard before the Hampton General District Court on June 14, 2016.

VIOLATIONS: The following violations are submitted for the Court's consideration.

MANDATORY CONDITION: **COMMISSION OF A CRIME – DRIVING UNDER SUSPENSION 7th OFFENSE; RECKLESS DRIVING; ELUDE OR DISREGARD POLICE.**

On April 26, 2016, the Hampton Police Department charged the defendant with Driving Under Suspension 7th Offense; Reckless Driving; and Elude or Disregard Police. These matters are scheduled to be heard in the Hampton General District Court on June 14, 2016.

CONDITION 2: **FAILURE TO SUBMIT MONTHLY SUPERVISION REPORTS AS DIRECTED.**

Moore failed to submit monthly supervision reports for the months of March 2016 and April 2016, as directed by the probation officer.

Petition on Probation

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RE: MOORE, Brandon R.

CONDITION 7:

USE OF MARIJUANA

On January 28, 2016, Moore submitted a urine specimen that tested positive for marijuana. Moore admitted to the probation officer that he used marijuana on January 27, 2016, the day before he appeared before the Court and was placed on probation. On March 4, 2016, the defendant submitted a second urine specimen that tested positive for marijuana. This specimen was confirmed positive by Alere Toxicology Services, Incorporated, on March 16, 2016. On April 8, 2016, Moore submitted a third urine specimen that tested positive for marijuana. This specimen was confirmed positive by Alere Toxicology Services, Incorporated, on April 20, 2016. Finally, on April 22, 2016, Moore submitted a fourth urine specimen that tested positive for marijuana. This specimen was confirmed positive by Alere Toxicology Services, Incorporated, on May 7, 2016. The provisions of 18 U.S.C. 3583(g)(4) indicate that the aforementioned violations constitute a mandatory revocation.

BRR/jmh